

AJC:jcc

10/22/02

OCT 28 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Richard A. Young and Douglas Young

Application No.:

10/046,649

Group: 1648

Filed:

January 14, 2002

Examiner: Not Assigned

Confirmation No.:

3487

For:

Stress Proteins and Uses Therefor

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, P O Box 2327, Arlington, VA 22202

on

10.22.02

Date

Signature

Jenine Crump

Typed or printed name of person signing certificate

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Box Missing Parts  
Assistant Commissioner for Patents  
P.O. Box 2327  
Arlington, VA 22202

Sir:

In reply to the Notice to File Missing Parts dated April 22, 2002, the following documents and fees are being submitted for filing in the captioned application. A copy of the Notice is attached.

☐ **EXECUTED DECLARATION FOR PATENT APPLICATION**

(Separate transmittal letter and postcard not required)

☐ **POWER OF ATTORNEY DOCUMENT**

☐ **GRANTED BY INVENTOR(S)**

☐ **GRANTED BY ASSIGNEE, including Statement under 37 C.F.R. 3.73(b)**

(Separate transmittal letter and postcard not required)

☒ **SECOND PRELIMINARY AMENDMENT**

(Separate transmittal letter and postcard not required)

☒ **FILING FEE - with Fee Transmittal for Patent Applications in duplicate**

Fee calculations based on:

☐ Claims as originally filed

☒ Claims upon entry of the Second Preliminary Amendment filed herewith

(Separate transmittal letter and postcard not required)

10/29/2002 WABDELRI 00000026 10046649 1440.00 0P  
03 FC:1254

10/046,649

2

☒ **SURCHARGE** - surcharge fee of \$130.00  
*(Separate transmittal letter and postcard not required)*

☒ **SUBSTITUTE DRAWINGS**

Ten (10) Sheets of substitute drawings consisting of Figs. 1A-1B, 2A-2B, 3A-3B, 4A-4B, and 5-7 are enclosed  
*(Separate transmittal letter and postcard not required)*

☒ **PETITION FOR EXTENSION OF TIME**

☒ Applicant hereby petitions to extend the time to respond to the Notice to File Missing Parts dated April 22, 2002 for four month(s) from June 22, 2002 to October 22, 2002. The appropriate fee of \$1,440.00 is included in the enclosed check

☐ A  month extension of time to respond to the Notice to File Missing Parts dated  was filed on  with payment of a \$ fee

☐ Applicant hereby petitions for an additional  month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$ is included in the enclosed check

*(Separate Petition for Extension of Time and postcard not required)*

☐ **STATEMENT CLAIMING SMALL ENTITY STATUS**

☐ Was filed on

☐ Is enclosed herewith  
*(Separate transmittal letter and postcard not required)*

☐ In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$ which were paid on  to be deposited in Deposit Account No. 08-0380

The fees required for filing the indicated documents are enclosed in the form of a check in the total amount of \$2,310. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Anne J. Collins

Anne J. Collins  
 Registration No.: 40,564  
 Tel.: (978) 341-0036  
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Concord, Massachusetts 01742-9133

Date: October 22, 2002

# HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

10046649-102902

## FEE TRANSMITTAL FOR PATENT APPLICATIONS

Attorney Docket Number

2869.1001-023

Application Number

10/046,649

First Named Inventor

Richard A. Young

CLAIM CALCULATION (includes any preliminary amendment)

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR 1.16(c) or (j))	1	- 20* =	0	x \$ 18 =	\$ 0
INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	1	- 3** =	0	x \$ 84 =	\$ 0
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))				+ \$ 280 =	\$
				BASIC FEE (37 CFR 1.16(a) or (h))	\$ 740
				Total of above Calculations =	\$ 740
				Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =	\$
				TOTAL =	\$ 740
				Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) =	\$ 130
				Petition for Extension of Time Fee (37 C.F.R. 1.17) =	\$ 1440
				Assignment Recordation Fee = (only when filed with application)	\$
* Reissue claims in excess of 20 and over original patent ** Reissue independent claims over original patent				TOTAL =	\$ 2310

### 1. Small entity status:

- a. ☐ A small entity statement is enclosed.
- b. ☐ A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
- c. ☐ Is no longer claimed.

2. ☒ A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

3. ☒ A check is enclosed for \$2,310. ☐ Please charge \$[ ] to Deposit Account No. 08-0380.

4. ☐ Other: \_\_\_\_\_

Signature

Anne J. Collins

Date

October 22, 2002

Submitted by  
Typed or Printed Name

Anne J. Collins

Reg. Number

40,564



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D. C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/046,649	01/14/2002	Richard A. Young	2869.1001-023

021005  
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.  
530 VIRGINIA ROAD  
P.O. BOX 9133  
CONCORD, MA 01742-9133

CONFIRMATION NO. 3487

## FORMALITIES LETTER



\*OC000000007922917\*



Date Mailed: 04/22/2002

## NOTICE TO FILE MISSING PARTS OF A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
  - drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e));

Items Required To Avoid Processing Delays:

10/25/2002 WABDELRI 00000026 10046649  
01 FC:1001 740.00 OP  
02 FC:1051 130.00 OP

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

- Additional claim fees of **\$2160** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$3030** for a Large Entity

- **\$740** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$2160**
  - **\$396** for **22** total claims over 20.
  - **\$1764** for **21** independent claims over 3.

*A copy of this notice MUST be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE